

REMARKS

Claims 1-21 are pending in this application. By this Amendment, claims 1-21 are amended. The amendments to the claims introduce no new matter. Claims 9-17, 19 and 20 are provisionally withdrawn as drawn to a non-elected species. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

The Office Action, in paragraph 1, indicates that Applicants' Election of Species Requirement was made "without traverse." Applicants' Response to Election of Species Requirement, filed April 6, 2005, provisionally elected Species I, claims 1-8, 18 and 21, with traverse. The Office Action indicates that claims 9-17, 19 and 20 are provisionally withdrawn from consideration. MPEP §806.04(e) states "Claims are definitions of inventions, *Claims are never species*." As such, the Election of Species requirement, which Applicants timely traversed, is *per se* improper as requiring election between Species I, "an embodiment directing to claims 1-8, 21," and Species II, "an embodiment directing to claims 9-19, 20."

Claims 9-17, 19 and 20 are amended in like manner to the other claims. In view of the foregoing, Applicants rejoiner and examination of claims 9-17, 19 and 20 on the merits.

The Office Action, in paragraph 3, rejects claims 1, 2, 5, 8 and 21 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,781,651 to Song et al. (hereinafter "Song"). The Office Action, in paragraph 5, rejects claims 3, 7 and 18 under 35 U.S.C. §103(a) as being unpatentable over Song. The Office Action, in paragraph 6, rejects claims 4 and 6 under 35 U.S.C. §103(a) as being unpatentable over Song, and further in view of U.S. Patent Nos. 5,429,962 to Yang and 5,546,204 to Ellis. These rejections are respectfully traversed.

Claim 1 recites, among other features, a shielding layer disposed between the data line and the pixel electrode.

Song teaches a method of fabricating a thin film transistor array substrate in which "a black matrix having separated portions is first formed on a substrate with an opaque conductive material, and an insulation layer is formed to cover the black matrix, then a gate line assembly and a data line assembly are formed over the black matrix and insulation layer with buffer layers formed to cover gaps between the separate portions of the black matrix at the same plane as the gate line assembly or data line assembly" (Abstract). The Office Action asserts that Song's "black matrix" 90 corresponds to a shielding layer disposed between the data lines and the pixel electrodes. This is not correct.

The black matrix of Song is formed on the substrate (col. 3, lines 23-24). An insulating layer 100 is formed on the substrate covering the black matrix (col. 3, lines 44-45). Other elements are then formed on top of the insulating layer (see, e.g., col. 3, line 51 - col. 5, line 11). These components include at least a data line assembly (col. 4, lines 10-30) and pixel electrodes (col. 5, lines 1-11). Based on these teachings of Song, the black matrix layer taught by Song (elements 90, 92, 94) cannot reasonably be considered to anticipate a shielding layer disposed between the data line and the pixel electrode. In other words, the position of Song's black matrix 90 is totally different from that of the shielding layer recited in the claims. As such, an objective of reducing irregularities based on the relative positioning of pixel electrodes and data lines, which can be achieved by the combination of features recited in claim 1, may not be achieved by Song.

Further, claims 2-8 and 18 are neither taught, nor would they have been suggested by Song for at least the respective dependence of these claims on independent claim 1, as well as for the separately patentable subject matter which each of these claims recites. Additionally, neither Yang nor Ellis overcomes the shortfall in the application of Song to at least the features of independent claim 1.

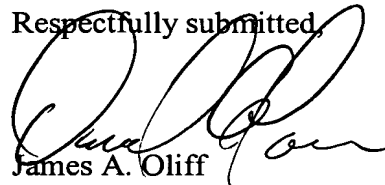
With regard to independent claim 21, Song neither teaches, nor would it have suggested, the additional features of a pixel electrode and a thin film transistor disposed so as to correspond to an intersection region of the data line and the scanning line, the thin film transistor including a semiconductor layer; a relay layer electrically connected with the pixel electrode; a first contact hole electrically connecting the semiconductor layer of the thin film transistor with the data line; a second contact hole electrically connecting the semiconductor layer of the thin film transistor with the relay layer; and a shielding layer disposed between the data line and the pixel electrode, a nitride film being included in the shielding layer and being formed along the data line and wider than the data line, the shielding layer being formed to cover the first contact hole and the second contact hole as viewed in plan.

For at least these reasons, Song cannot be reasonably considered to teach, or to have suggested, all of the combinations of features varyingly recited in the pending claims. Accordingly, reconsideration and withdrawal of the rejections of claims 1-8, 18 and 21 under 35 U.S.C. §§102(e) and 103(a) as being anticipated by Song, unpatentable over Song, or unpatentable over any combination of Song and the other applied references are respectfully requested.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-21 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Daniel A. Tanner, III
Registration No. 54,734

JAO:DAT

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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